

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office,
2103 E Park Ave.,
Kremmling, CO 80459**

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-LLCON02000-2012-030-DNA

CASEFILE/PROJECT NUMBER: N/A

PROJECT NAME: Reeder Creek Trail Work

LEGAL DESCRIPTION: T. 1N., R. 79W., Section 17, 6th P.M.

APPLICANT: BLM, Kremmling Field Office

ISSUES AND CONCERNS: BLM acquired lands along the Colorado River in 1999 as part of a land exchange. When the public discovered this new fishery, a network of trails was created along Reeder Creek to gain access to the Colorado River. BLM hoped to protect resources along Reeder Creek by eliminating the various trails and creating one trail for use by the public.

The original project in 2000 involved the construction of a fishing/hiking access trail to the Colorado River adjacent to Reeder Creek. (See project map). The purpose of constructing a single trail and associated bridges was to prevent resource damage and erosion from multiple user created routes; protect cultural resources; establish one developed access; and improve recreational opportunities. The trail provides opportunities for fishing, wildlife viewing, hiking, waterfowl hunting, and picnicking.

Due to high runoff in 2011, the bridge crossing Reeder Creek was destroyed. The clay soils also became slick when wet, making steep portions of the trail difficult to walk on. Visitors use the sagebrush as traction to climb the steep slopes. General trail maintenance has not been performed since the original project in 2000.

DESCRIPTION OF PROPOSED ACTION:

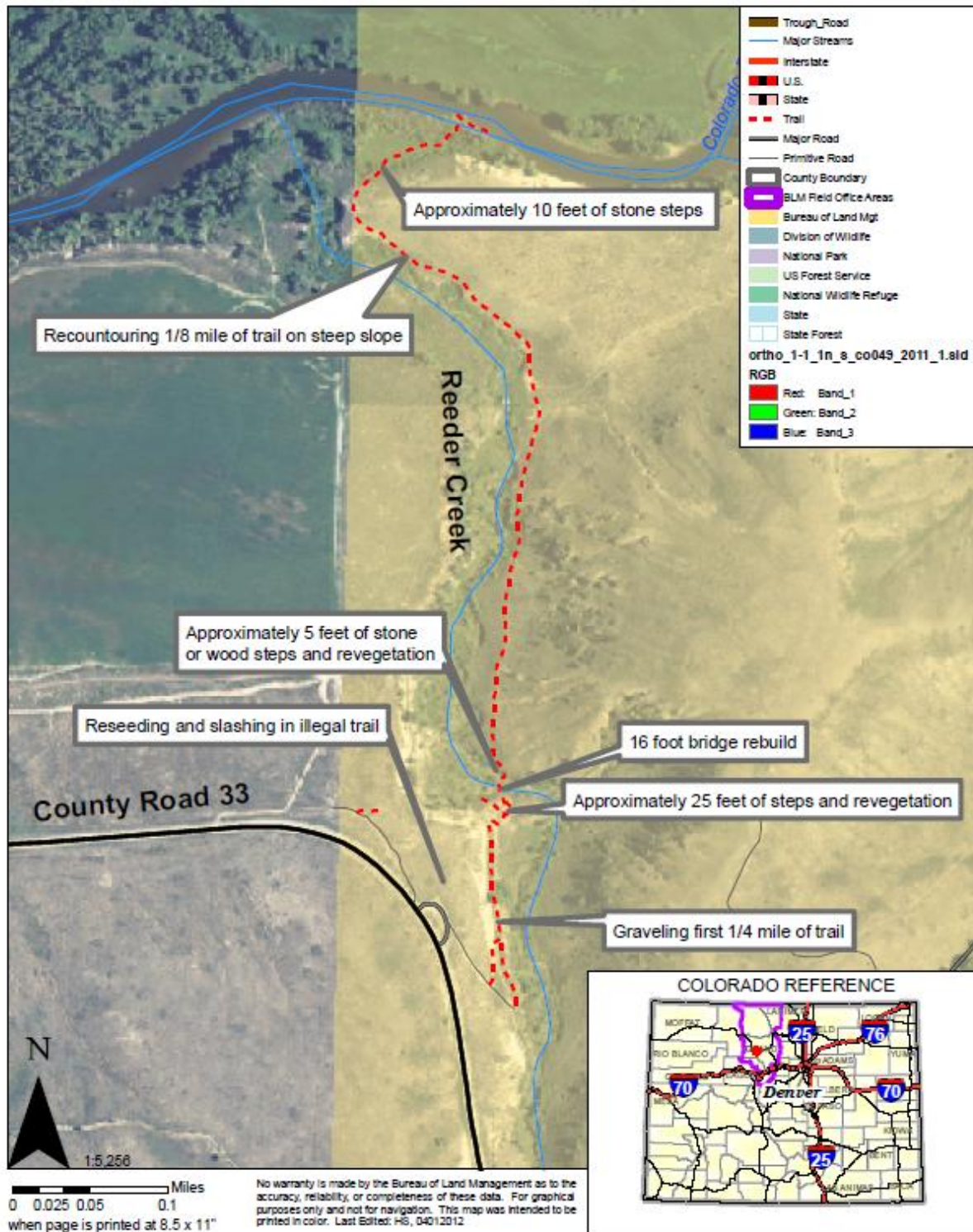
The Proposed Action is to perform trail maintenance with the following improvements on the Reeder Creek Trail: graveling approximately ¼ mile of the trail, building three sets of steps, rebuilding a 16 foot bridge, revegetating user-created trails, and performing general maintenance on the entire trail (see map below). The trail work would mainly be completed during the summer of 2012 but continued maintenance would be needed for visitor safety.

The work on the stone steps would entail constructing new steps using material adjacent to the trail. The gravel and building materials for the bridge would be brought onto the site. The user-created trails would be rehabilitated and naturalized with native seed. The trail maintenance

would include de-berming the outer edge of the tread and reducing the angle of the tread outslope, making it less steep and easier to walk on.



Reeder Creek Trail Work 2012



Standard cultural and paleontological stipulations would be attached to the decision (see attached).

Decision to be Made: The decision to be made is whether to allow trail maintenance on the Reeder Creek Fishing Access Trail.

PLAN CONFORMANCE REVIEW:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Resource Decision #7, Page #11

Decision Language:

Objective: “To ensure the continued availability of outdoor recreational opportunities which the public seeks and which are not readily available from other sources, to reduce the impact of the recreational use on fragile and unique resource values, and to provide for visitor safety, and resource interpretation.”

Implementation: “Manage and fund the Upper Colorado River Special Recreation Management Area to provide river recreational opportunities and to reduce resource damage, solve visitor health and safety problems and mitigate conflicts.”

Monitoring/Schedule: “...the Upper Colorado River...SRMA will have regularly scheduled maintenance and management of...developed sites and facilities. Hazards to public health and safety will be mitigated whether by regular preventative maintenance or immediate corrective actions.”

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: Reeder Creek Trail Project- National Public Lands Day Event, September 23, 2000 - CO-KRFO-00-41 EA

Date Approved: 7/17/2000

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently

similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

The Proposed Action is the same as analyzed in the existing NEPA document. Although the original EA was for the construction, the work that needs to be completed for the maintenance is more of the same. The location of the project is the same.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Two alternatives (Proposed Action and No Action Alternative) were analyzed in EA # CO-KRFO-00-41 EA. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

There is no new information or circumstances that would invalidate the existing analysis.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

The direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action are similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

EA # CO-KRFO-00-41 was up for public comment for 30 days. A letter was sent out to seven tribes in 2000.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 04/04/2012. A complete list of resource specialists who participated in this review is available upon request from the Kremmling Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Bill B. Wyatt	Archaeologist	Cultural Resources, Native American Religious Concerns	05/02/2012
Megan McGuire	Wildlife Biologist	Special Status Wildlife Species	05/16/2012
Paula Belcher	Hydrologist	Soil, Water, Air, Riparian	05/02/2012

REMARKS:

Cultural Resources: No sites that are eligible to the National Register of Historic Places are located within the area of potential effect. A consultation letter was mailed to the SHPO on June 29, 2000, with concurrence received on July 10, 2000, for the project. The project is a **no effect**, there are **no historic properties** that would be affected.

Native American Religious Concerns: Tribal consultation was initiated on May 8, 2000, and to date no American Indian Tribe has identified any area of traditional cultural or spiritual concern.

Threatened and Endangered Wildlife and Plant Species: No effect. No species present within the project area.

MITIGATION: None

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM Kremmling Field Office staff during and after construction.

NAME OF PREPARER: Hannah Schechter

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel
for Field Manager

DATE SIGNED:

ATTACHMENT: Standard cultural and paleontological stipulations.

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**U.S. Department of the Interior
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DECISION RECORD

PROJECT NAME: Reeder Creek Trail Work

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-LLCON02000-2012-030-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2012-030-DNA, authorizing trail maintenance on Reeder Creek.

Mitigation Measures

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the 1984 and updated 1999 Kremmling Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

The EA was available for a formal 30-day public comment period on July 17th, 2000.

RATIONALE

Based on information in the DNA, the project record, and consultation with my staff, I have decided to allow trail maintenance on the Reeder Creek Fishing Access Trail as described in the DNA. The project is not expected to adversely impact any resources with the monitoring measures required.

ADMINISTRATIVE REMEDIES

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's (Kremmling Field Office) internet website.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel
for Field Manager

DATE SIGNED:

Cultural and Paleontological Stipulations:

1. BLM is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for disturbing historic or archaeological sites, or for collecting artifacts.
2. BLM shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). BLM shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, BLM shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will determine as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the BLM will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- a timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

If BLM wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the BLM will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, BLM will then be allowed to resume construction.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, that are related to the authorizations activities, will be mitigated at the BLM's cost.

3. Pursuant to 43 CFR 10.4(g), BLM must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items,

sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.